

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
v. : Crim. No. 10-83
L. HARVEY SMITH : ORDER

This matter having been opened to the Court on the joint application of the United States of America, Paul J. Fishman, United States Attorney (Jenny Kramer and Sandra Moser, Assistant U.S. Attorneys, appearing) and defendant L. Harvey Smith (by Peter Willis, Esq.) for an order continuing the proceedings and excluding time from computation under the Speedy Trial Act of 1974; and the charges being the result of a lengthy investigation and the defendant needing sufficient time to review discovery, which includes a large number of audio and video recordings, and to investigate the charges and file motions in this case; and the Court having found, in light of the above, that this case is sufficiently complex that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the time limits established by the Speedy Trial Act of 1974; and the Court having already designated this matter as a complex case pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii) and the Court having found that an order granting a continuance of the proceedings and excluding time from calculation under the Speedy Trial Act of 1974 should be entered; that the ends of justice are served by granting such an order; and for good cause shown,

WHEREFORE, it is on this 2nd day of June, 2010,

ORDERED that:

1. The proceedings in this matter shall be continued from the date this Order is signed until November 29, 2010;

2. The period from the date this Order is signed until November 29, 2010 shall be excluded in computing time under the Speedy Trial Act of 1974; 18 U.S.C. § 3161;

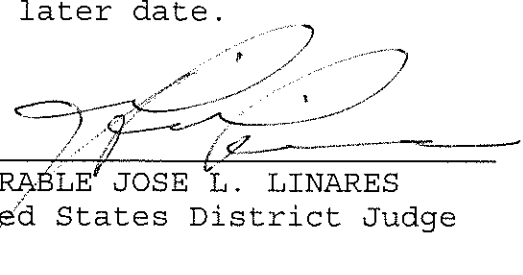
3. The dates for the filing of all pretrial motions specifically provided for in this Court's Standing Discovery and Inspection Order are hereby revised and such motions will be deemed waived unless they are filed and served not later than:

Pretrial motions filed by: September 2, 2010

Opposition due: October 4, 2010

Motions hearing date: October 14, 2010 @ 1:30 PM and 9:30 AM (Jury Selection Monday November 22)

4. Trial shall commence on November 29, 2010. The Court will set dates for proposed voir dire, proposed jury instructions and trial briefs at a later date.



HONORABLE JOSE L. LINARES
United States District Judge